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8 *Attorneys for Federal Defendants*

9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 CANA FOUNDATION, a non-profit corporation, LAURA LEIGH, individually, and WILD HORSE EDUCATION, a nonprofit corporation,

13 *Plaintiffs,*

14 v.

15 UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, and JON RABY, Nevada State Director of the Bureau of Land Management,

18 *Federal Defendants.*

19) **JOINT STATUS REPORT**

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20 Per the parties' joint Status report filed on January 21, 2025, ECF No. 92, Federal
21 Defendants and Plaintiffs submit this joint status report on the status of Federal Defendants'
22 evaluation of Plaintiffs' request for attorney's fees and the parties' efforts to obtain the necessary
23 approvals for their settlement agreement in principle to resolve Plaintiffs' First Amendment

1 claim (Sixth Cause of Action) that the Court referred to mediation in its Order on summary
2 judgment. *See* ECF No. 79 at 39.¹

3 Since the parties' last status report, ECF No. 92, Federal Defendants have provided
4 Plaintiffs with a counterproposal to their opening request for attorneys' fees and costs and a
5 proposed draft settlement agreement memorializing the terms of the parties' settlement
6 agreement in principle to resolve Plaintiffs' First Amendment claim (Sixth Cause of Action). On
7 February 15, 2025, Plaintiffs provided proposed edits to the draft settlement agreement and
8 responded to Federal Defendants' counterproposal on fees. Plaintiffs provided additional billing
9 records on February 26, 2025. Federal Defendants are currently reviewing those billing records,
10 and the parties continue to discuss whether informal resolution of Plaintiff's fee request is
11 possible.

12 If and when the parties reach a tentative agreement on the resolution of Plaintiffs' fees
13 request and the language of the settlement agreement, Federal Defendants will be able to begin
14 their approval process, under which appropriate officials at BLM and DOJ must review and
15 approve the agreement.

16 In light of the estimated time needed for the parties to continue their settlement
17 discussions, the parties plan to file another joint status report by **March 20, 2025**, if they have
18 not filed a settlement agreement by that date.

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23 Dated: February 26, 2025

Respectfully Submitted,

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26 ¹ Please note that Federal Defendants do not currently have authorization to enter a settlement
27 agreement and, in the event that the parties reach an agreement, such agreement is subject to the
28 review and approval of the appropriate officials at the Bureau of Land Management ("BLM")
and the United States Department of Justice ("DOJ").

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 26, 2025, I filed the foregoing Joint Status Report electronically through the CM/ECF system, which caused all parties or counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ Michelle M. Spatz
Michelle M. Spatz
U.S. Department of Justice